

WEDNESDAY, APRIL 15, 1998

EIGHTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Brother Tommy Smith, Wildersville Baptist Church, Wildersville, Tennessee.

Representative McDaniel led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Garrett; personal reasons

Representative Brown; personal reasons

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representatives Kisber and Lois DeBerry were recognized in the Well to introduce the 1997-1998 Union University women's basketball team, NAIA Division 1 national champions.

RECOGNITION IN THE WELL

Representatives Phelan and Pinion were recognized in the Well to introduce the 1997-1998 Bradford High School girls' basketball team, TSSAA Class A state champions

RULES SUSPENDED

Rep. Phelan moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 677 out of order, which motion prevailed.

House Joint Resolution No. 677 -- Memorials, Sports - 1997-1998 Bradford High School girls' basketball team, TSSAA Class A state champions. by *Phelan.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Phelan, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 619: Rep(s). Bowers as prime sponsor(s).

House Bill No. 12: Rep(s). Jackson as prime sponsor(s).

House Bill No. 1297: Rep(s). Head as prime sponsor(s).

House Bill No. 1488: Rep(s). Huskey as first prime sponsor(s).

House Bill No. 1488: Rep(s). Cross as prime sponsor(s).

House Bill No. 1588: Rep(s). Jackson, Kisber, Godsey and Mumpower as prime sponsor(s).

House Bill No. 1832: Rep(s). Rhinehart as prime sponsor(s).

House Bill No. 2333: Rep(s). Patton, Walley, Hargett, Beavers, Pleasant, Ford, Stamps, Sharp, Burchett, Whitson, Davis, Hassell, Walker(Blount), Hicks, McKee, Roach, Cole(Carter), Wood, Kent, Bittle, Huskey, Newton, Boyer, Goins, Kerr, McDaniel, Godsey, Scroggs, Dunn and Mumpower as prime sponsor(s).

House Bill No. 2404: Rep(s). Scroggs, Boyer, Jackson and Stamps as prime sponsor(s).

House Bill No. 2560: Rep(s). Sharp, Goins, Godsey, Hargett, Beavers, Walker(Blount) and Burchett as prime sponsor(s).

House Bill No. 2889: Rep(s). Bowers as prime sponsor(s).

House Bill No. 2949: Rep(s). Bowers and Godsey as prime sponsor(s).

House Bill No. 3000: Rep(s). Bowers as prime sponsor(s).

House Bill No. 3312: Rep(s). Chumney as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Beavers was/were removed as sponsor(s) of **House Bill No. 1488**.

MESSAGE FROM THE SENATE April 13, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2227; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 2227 -- Basic Education Program (BEP) - Rewrites BEP's state funding allocation formula. Amends TCA 49-3-351(d). by *Atchley, *Ramsey.

REPORT OF CHIEF ENGROSSING CLERK April 13, 1998

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 3340.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

April 13, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2341, 2395, 2482, 2517, 2599, 2915, 2916, 2926, 2993, 3142, 3167, 3217, 3279, 3304, 3391, 3400, 3401, 3404, 3405 and 3406.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 13, 1998

The Speaker signed the following: House Bill(s) No(s). 2341, 2395, 2482, 2517, 2599, 2915, 2916, 2926, 2993, 3142, 3167, 3217, 3279, 3304, 3391, 3400, 3401, 3404, 3405 and 3406.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 13, 1998

The Speaker signed the following: Senate Bill(s) No(s). 1102, 2313 and 2954.

MESSAGE FROM THE SENATE

April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 590; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 426, 513 and 515; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2799 and 3390; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 683; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2341, 2395, 2482, 2517, 2599, 2915, 2916, 2926, 2993, 3142, 3167, 3217, 3279, 3304, 3391, 3400, 3401, 3404, 3405 and 3406; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 641, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 675, 691 and 697; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3096 and 3364; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 399, 561, 565, 571 and 577; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

WEDNESDAY, APRIL 15, 1998 -- EIGHTY-FOURTH LEGISLATIVE DAY

***Senate Joint Resolution No. 399** -- General Assembly, Studies - Creates special joint committee to study education funding equity. by *Fowler.

***Senate Joint Resolution No. 561** -- General Assembly, Directed Studies - Requests department of transportation to study overall traffic flow and volume effects of locating new State Fire Training and Codes Enforcement School on Unionville-Deason Road in Bedford County. by *Womack.

***Senate Joint Resolution No. 565** -- Highway Signs - "J.H. Haggard, Sr. Memorial Bridge," Green River on U.S. 64, Wayne County. by *Wilder.

***Senate Joint Resolution No. 571** -- Naming and Designating - "Descendants Park" in honor of Charles Howell, Granny White Pike and I-440 in Davidson County. by *Henry, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L., *Dixon, *Elsea, *Ford J., *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J., *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

***Senate Joint Resolution No. 577** -- General Assembly, Statement of Intent or Position - Urges American Association of Motor Vehicle Administration to include commercial motor vehicle violators in Non-Resident Violators Compact. by *Graves.

**MESSAGE FROM THE SENATE
April 14, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 26, 2117, 2120, 2133, 2197, 2361, 2473, 2683, 3017, 3048, 3063, 3203, 3249 and 3255; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 26** -- Education, Higher - Changes from 21 to 24 age for dependent children of certain World War II and Korean War servicemen to be eligible for free tuition at state colleges and universities. Amends TCA Title 49, Chapters 7, 8, and 9. by *Atchley.

***Senate Bill No. 2117** -- Sunset Laws - Terminates enterprise zone management board. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 28. by *Springer.

***Senate Bill No. 2120** -- Sunset Laws - State certification program, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 5. by *Springer.

***Senate Bill No. 2133** -- Sunset Laws - Water quality control board, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3. by *Springer.

***Senate Bill No. 2197** -- Federal Aid - Requires all applications for federal funds and all federal grant applications to be posted on Internet at least ten days prior to submission; sets out notice requirements; requires notification of substantive changes in existing funding or grants to be posted on Internet. by *Fowler.

Senate Bill No. 2361 -- Insurance, Health, Accident - Enacts "Provider Sponsored Organization Act of 1998." Amends TCA Title 56. by *Ford J.

WEDNESDAY, APRIL 15, 1998 -- EIGHTY-FOURTH LEGISLATIVE DAY

***Senate Bill No. 2473** -- Taxes, Sales - Redefines "industrial machinery" to include certain machinery, apparatus and equipment utilized in making photographic images for resale; specifies sale, use, storage or consumption of chemicals, splicing tape, film and other materials for such purposes excluded from tax. Amends TCA Section 67-6-102. by *Miller J.

***Senate Bill No. 2596** -- Taxes - Requires standard exemption amount allowable for gifts to Class A donees to increase each year by same amount, if any, that federal annual exclusion amount for gifts increases. Amends TCA Title 67, Chapter 8, Parts 1, 3 and 4 and Section 67-8-104. by *Herron, *McNally, *Graves, *Herron, *Gilbert, *Miller J, *Burks.

***Senate Bill No. 2683** -- Employees, Employers - Gives tax credit from Franchise Tax of \$2,000 or 10 percent of wages to employer for apprentice employees working more than 1,400 hours during income year; permits employer to add hours of two or more apprentices to reach minimum hours required for tax credit. Amends TCA Title 67, Chapter 4, Part 9. by *Kyle.

***Senate Bill No. 3017** -- Bond Issues - Authorizes issuance of \$27 million for DMHMR to refund debt. by *Henry.

***Senate Bill No. 3048** -- Driver Licenses - Revises procedure for minor withdrawn from school to appeal revocation of driver license. Amends TCA Title 55, Chapter 50. by *Cohen.

***Senate Bill No. 3063** -- Hamilton County - Subject to local approval, permits chancellors and clerk and master to establish timing and method of case assignment rather than monthly assignment process. Amends Chapter 201 of the Public Acts of 1955. by *Crutchfield.

***Senate Bill No. 3203** -- Personal Property - Specifies that consideration for transaction given to spouse of person who actually conducts transaction and who is or will be insolvent is deemed to be fraudulent as to creditors. Amends TCA Title 66, Chapter 3. by *Williams.

***Senate Bill No. 3249** -- Courts, Circuit - Authorizes circuit court judges in Davidson County to appoint master. Amends TCA Title 17, Chapter 2. by *Haynes.

***Senate Bill No. 3255** -- Professions and Occupations - Excludes Christian Science practitioners from TCA Title 63, Chapter 22, regarding professional counselors, marital and family therapists and clinical pastoral therapists. Amends TCA Section 63-22-204. by *Ramsey.

**MESSAGE FROM THE SENATE
April 14, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1292, 2373, 2408, 2769, 2771, 3086 and 3395; also, Senate Joint Resolution(s) No(s). 578, 579, 580, 581, 582, 583, 584, 585, 586, 588 and 589 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, Senate Bill(s) No(s). 3262.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 1.

The Speaker appointed a Conference Committee composed of Senators Kyle, Chairman, Person and Dixon to confer with a like committee from the House to resolve the differences of the two bodies on the bill.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2673; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2902; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3003; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3183; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3222.

The Senate lifted the tabling motion on the bill; reconsidered passage of the bill; reconsidered passage of Senate Amendment No. 1; withdrew the amendment; then repassed the bill on third and final consideration.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2790; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3090; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2090; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 331; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3165; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 14, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2341, 2395, 2482, 2517, 2599, 2915, 2916, 2926, 2993, 3142, 3167, 3217, 3279, 3304, 3391, 3400, 3401, 3404, 3405 and 3406; also, House Joint Resolution(s) No(s). 641, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 675, 691 and 697.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

April 14, 1998

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 426, 513, 515, 590 and 683.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 14, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 426, 513, 515, 590 and 683.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 14, 1998

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 683.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 14, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 683; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE GOVERNOR

April 14, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 436, 464, 518, 519, 627, 628, 629, 630, 632, 633, 634, 635, 636, 638, 639, 640, 642, 643, 646, 647, 648, 649, 650 and 673, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR
April 14, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 2292, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

SIGNED
April 14, 1998

The Speaker signed the following: Senate Bill(s) No(s). 1292, 2373, 2408, 2769, 2771, 3086 and 3395; also, Senate Joint Resolution(s) No(s). 578, 579, 580, 581, 582, 583, 584, 585, 586, 588 and 589.

ENROLLED BILLS
April 15, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2799, 3096, 3364 and 3390.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
April 15, 1998

The Speaker signed the following: House Bill(s) No(s). 2799, 3096, 3364 and 3390.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
April 15, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2079, 2102, 2143, 2193, 2351, 2463, 2483, 2617, 2679, 2741, 3152 and 3227, also, House Joint Resolution(s) No(s). 637, 641, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 675, 683, 691 and 697; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS
April 15, 1998

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 3222.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
April 15, 1998

The Speaker signed the following: House Bill(s) No(s). 3222.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 699** -- Highway Signs - "William Dugan Highway," S.R. 56, Grundy County. by *Rhinehart.

Transportation Committee

***House Joint Resolution No. 704** -- General Assembly, Studies - Creates joint task force to study community investment practices of banking industry in Tennessee, including actual presence of banks in economically disadvantaged communities. by *DeBerry J.

Commerce Committee

***House Joint Resolution No. 719** -- General Assembly, Studies - Directs select oversight committee on education to study issues relative to relationships among administrators, teachers, parents and students and admission and retention of students in public schools. by *DeBerry J, *Davidson.

Calendar & Rules Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 16, 1998:

House Resolution No. 192 -- Memorials, Interns - Cindy Avans. by *Rhinehart, *Curtiss, *Phelan.

House Resolution No. 193 -- Memorials, Professional Achievement - Melanie Leigh Hornsby, 23rd Annual Gracie Allen award. by *Patton.

House Resolution No. 194 -- Memorials, Recognition and Thanks - Sullivan North High School Naval Junior Reserve Officers Training Corp. by *Godsey.

House Joint Resolution No. 700 -- Memorials, Academic Achievement - Alicia Lee Anne Kizer, Valedictorian, Santa Fe High School. by *Sands.

House Joint Resolution No. 701 -- Memorials, Interns - Tara Walters. by *Patton.

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House Joint Resolution No. 702 -- Memorials, Academic Achievement - Kathy Irene Dougherty, 1998 Valedictorian, Hampshire High School. by *Sands, *White.

House Joint Resolution No. 703 -- Memorials, Public Service - Better Roads in North Knox (BRINK). by *Burchett.

House Joint Resolution No. 705 -- Memorials, Interns - Tara Christena Walters. by *Whitson, *Walker (Rhea), *Westmoreland, *Sargent, *Patton.

House Joint Resolution No. 707 -- Memorials, Retirement - Noah F. Weaver. by *Walley.

House Joint Resolution No. 708 -- Memorials, Academic Achievement - Laura Anderson, Morristown West High School, highest academic honors. by *Ford S.

House Joint Resolution No. 709 -- Memorials, Academic Achievement - Lori Ann Ball, Highest Honors, Morristown-Hamblen High School East. by *Ford S.

House Joint Resolution No. 710 -- Memorials, Academic Achievement - Liane Previtera, Highest Honors, Morristown West High School. by *Ford S.

House Joint Resolution No. 711 -- Memorials, Recognition and Thanks - Crockett Tavern Museum, 40th Anniversary. by *Ford S.

House Joint Resolution No. 712 -- Memorials, Academic Achievement - Chris John Garby, Top honors, Morristown-Hamblen High School. by *Ford S.

House Joint Resolution No. 713 -- Memorials, Academic Achievement - Shaunna Phillips, 1998 top Honors Student, Morristown-Hamblen High School East. by *Ford S.

House Joint Resolution No. 714 -- Memorials, Interns - Carolyn Blair. by *Beavers.

House Joint Resolution No. 715 -- Memorials, Death - Daniel Moffett. by *Winningham.

House Joint Resolution No. 716 -- Memorials, Heroism - Shannon Wright, teacher. by *Cooper B, *Miller L, *Pleasant, *Brooks, *Bowers, *DeBerry J, *Jones U (Shelby), *Chumney, *Caldwell, *Towns, *Hassell, *Scroggs, *Davidson, *McDonald, *DeBerry L, *Fraleigh, *Armstrong, *Stulce, *Turner (Hamilton).

House Joint Resolution No. 717 -- Memorials, Recognition and Thanks - Gladys Boone, Lenoir City Elementary School teacher. by *Kerr, *Gunnels.

House Joint Resolution No. 718 -- Memorials, Professional Achievement - Jane Whitaker, Physics/Chemistry teacher, Lenoir City High School, Presidential Award for Excellence. by *Kerr, *Gunnels.

House Joint Resolution No. 720 -- Memorials, Interns - John E. Thompson. by *Robinson, *Fowlkes, *White, *Frale, *Tidwell, *Hood, *McDonald, *Ridgeway, *Sharp, *Dunn, *Eckles, *Turner (Shelby), *Hassell, *Hicks, *Newton, *Burchett, *Stamps, *Haley, *Beavers, *Buck, *Davis R, *Roach, *Head.

House Joint Resolution No. 721 -- Memorials, Academic Achievement - Christopher Edward Johnson, 1998 Valedictorian, Columbia Central High School. by *Sands.

House Joint Resolution No. 722 -- Memorials, Sports - Charles Fowler, Pop Warner Regional Volunteer of the Year. by *Sands.

House Joint Resolution No. 723 -- Memorials, Academic Achievement - Bradley James Richardson, 1998 Valedictorian, Culleoka High School. by *Sands.

House Joint Resolution No. 724 -- Memorials, Academic Achievement - Judith Nichole Russell, 1998 Valedictorian, Mt. Pleasant High School. by *Sands.

House Joint Resolution No. 725 -- Memorials, Retirement - Alan Carmichael. by *Burchett.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 399** -- General Assembly, Studies - Creates special joint committee to study education funding equity. by *Fowler.

Education Committee

***Senate Joint Resolution No. 521** -- Memorials, Government Officials - Urges department of transportation to widen and construct truck lane on Monterey Mountain segment of I-40 eastbound; urges department of safety to station four wheel drive vehicles in Monterey Mountain area and to issue uniforms to highway patrol officers that offer adequate protection from winter storms. by *Burks, *Atchley, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Transportation Committee

***Senate Joint Resolution No. 561** -- General Assembly, Directed Studies - Requests department of transportation to study overall traffic flow and volume effects of locating new State Fire Training and Codes Enforcement School on Unionville-Deason Road in Bedford County. by *Womack.

Transportation Committee

***Senate Joint Resolution No. 565** -- Highway Signs - "J.H. Haggard, Sr. Memorial Bridge," Green River on U.S. 64, Wayne County. by *Wilder.

Transportation Committee

***Senate Joint Resolution No. 577** -- General Assembly, Statement of Intent or Position - Urges American Association of Motor Vehicle Administration to include commercial motor vehicle violators in Non-Resident Violators Compact. by *Graves.

Transportation Committee

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3422 -- Hardin County - Subject to local approval, increases salary of school board members from \$25.00 to \$75.00 per month for regular meeting; permits \$37.50 for special meetings. Amends Chapter 709 of the Private Acts of 1923; as amended. by *Rinks.

House Bill No. 3423 -- Hardin County - Subject to local approval, establishes position of accounting and budget director; sets appointing and dismissing process and salary process. by *Rinks.

House Bill No. 3424 -- Cannon County - Subject to local approval, enacts "Cannon County Mobile Home Park Regulations.". by *Buck.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 26** -- Education, Higher - Changes from 21 to 24 age for dependent children of certain World War II and Korean War servicemen to be eligible for free tuition at state colleges and universities. Amends TCA Title 49, Chapters 7, 8, and 9. by *Atchley.

***Senate Bill No. 2117** -- Sunset Laws - Terminates enterprise zone management board. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 28. by *Springer.

***Senate Bill No. 2120** -- Sunset Laws - State certification program, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 5. by *Springer.

***Senate Bill No. 2133** -- Sunset Laws - Water quality control board, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3. by *Springer.

***Senate Bill No. 2197** -- Federal Aid - Requires all applications for federal funds and all federal grant applications to be posted on Internet at least ten days prior to submission; sets out notice requirements; requires notification of substantive changes in existing funding or grants to be posted on Internet. by *Fowler.

Senate Bill No. 2227 -- Basic Education Program (BEP) - Rewrites BEP's state funding allocation formula. - Amends TCA 49-3-351(d). by *Atchley, *Ramsey.

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Senate Bill No. 2361 -- Insurance, Health, Accident - Enacts "Provider Sponsored Organization Act of 1998." Amends TCA Title 56. by *Ford J.

***Senate Bill No. 2473** -- Taxes, Sales - Redefines "industrial machinery" to include certain machinery, apparatus and equipment utilized in making photographic images for resale; specifies sale, use, storage or consumption of chemicals, splicing tape, film and other materials for such purposes excluded from tax. Amends TCA Section 67-6-102. by *Miller J.

***Senate Bill No. 2596** -- Taxes, Inheritance Gift - Requires standard exemption amount allowable for gifts to Class A donees to increase each year by same amount, if any, that federal annual exclusion amount for gifts increases - Amends TCA 67-8-104. by *Herron, *McNally, *Graves, *Herron, *Gilbert, *Miller J, *Burks. (HB3046 by *Maddox)

***Senate Bill No. 2673** -- Pardons and Paroles - Requires sex abuse treatment program for sexual offenders to be factor rather than requirement for parole. - Amends TCA Section 41-21-235(b). by *Kyle.

***Senate Bill No. 2675** -- Sexual Offenses - Removes department of mental health and mental retardation from agencies responsible for development of sexual abuse treatment program for incarcerated sexual offenders. Amends TCA Section 41-21-235(a). by *Kyle.

***Senate Bill No. 2683** -- Employees, Employers - Gives tax credit from Franchise Tax of \$2,000 or 10 percent of wages to employer for apprentice employees working more than 1,400 hours during income year; permits employer to add hours of two or more apprentices to reach minimum hours required for tax credit. Amends TCA Title 67, Chapter 4, Part 9. by *Kyle.

Senate Bill No. 2744 -- Education - Provides for juvenile justice alternative education programs and juvenile court supervision of suspended and expelled students. - Amends TCA Title 37 and Title 49, Chapter 6, Part 34. by *Person.

***Senate Bill No. 2754** -- Juvenile Offenders - Establishes public location curfew in Shelby County from 12:00 midnight until 5:00 a.m. for minors not accompanied by parent or guardian. Amends TCA Title 37, Chapter 10. by *Person.

***Senate Bill No. 2877** -- Taxes, Personal Property - Allows taxpayer to certify \$1,000 or less depreciated value of tangible personal property in lieu of detailing acquisition cost on reporting schedule. Amends TCA Section 67-5-903. by *Springer.

***Senate Bill No. 3017** -- Bond Issues - Authorizes issuance of \$27 million for DMHMR to refund debt. by *Henry.

***Senate Bill No. 3048** -- Driver Licenses - Revises procedure for minor withdrawn from school to appeal revocation of driver license. Amends TCA Title 55, Chapter 50. by *Cohen.

***Senate Bill No. 3049** -- Taxes, Litigation - Imposes additional \$1.00 privilege tax on every criminal case, to be used for purchasing and maintaining electronic fingerprint imaging systems. Amends TCA 67-4-602. by *Person.

***Senate Bill No. 3063** -- Hamilton County - Subject to local approval, permits chancellors and clerk and master to establish timing and method of case assignment rather than monthly assignment process. Amends Chapter 201 of the Public Acts of 1955. by *Crutchfield.

Senate Bill No. 3092 -- Education - Increases and reorganizes membership of special education advisory council; redefines "child with disabilities." Amends TCA Sections 49-10-101, 49-10-102, 49-10-105. by *Crowe, *Atchley.

***Senate Bill No. 3203** -- Personal Property - Specifies that consideration for transaction given to spouse of person who actually conducts transaction and who is or will be insolvent is deemed to be fraudulent as to creditors. Amends TCA Title 66, Chapter 3. by *Williams.

***Senate Bill No. 3249** -- Courts, Circuit - Authorizes circuit court judges in Davidson County to appoint master. Amends TCA Title 17, Chapter 2. by *Haynes.

***Senate Bill No. 3255** -- Professions and Occupations - Excludes Christian Science practitioners from TCA Title 63, Chapter 22, regarding professional counselors, marital and family therapists and clinical pastoral therapists. Amends TCA Section 63-22-204. by *Ramsey.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3420 -- Milan -- Local Bill Held on House Desk

House Bill No. 3421 -- Athens -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 13, 1998**, reported the following:

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 3237 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3150; also House Bill(s) No(s). 2418 and 2806 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 2708, 1180, 3043, 3128 and 2406 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2259; also House Bill(s) No(s). 2410 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 14, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 16, 1998**: House Bill(s) No(s). 2364, 2773, 2867, 2174, 2175, 2145, 2173, 2537, 2150, 2307, 2658, 246, 2966, 2222, 3019, 2965, 3286, 2681 and Senate Joint Resolution(s) No(s). 503.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 20, 1998**: House Bill(s) No(s). 2177, 2178, 2179, 2180, 2055, 3276, 3289, 2783, Senate Joint Resolution(s) No(s). 379 and House Joint Resolution(s) No(s). 616.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 3125 and 525 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 1751, 3132, 2474, 2890, 3093, 3302, 754, House Resolution(s) No(s). 186 and Senate Joint Resolution(s) No(s). 389, also House Bill(s) No(s). 2988, 1650, 2875, 2726, 2995, 1492 and 1612 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2056, 2170, 2167, 2172 and 2154, also House Bill(s) No(s). 489 and 2148 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that House Bill(s) No(s). 3359 be referred to the Judiciary Committee and House Bill(s) No(s). 2980 with amendments be referred to the Commerce Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 2689 and 2499 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2912 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 3115 and 3231, also House Bill(s) No(s). 1539, 11 and 2669 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1583; also House Bill(s) No(s). 2756, 2523, 2889 and 3111 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

REPORTS FROM STANDING COMMITTEES

The committees that met on **April 15, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 16, 1998**: House Bill(s) No(s). 2897, 613, 2340 and 2682.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **April 20, 1998**: House Bill(s) No(s). 3097 and House Joint Resolution(s) No(s). 631.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 2784 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 1032, 1355, 2981, 3148, 3149, 3042 and 2755, also House Bill(s) No(s). 3297, 3147 and 3189 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2404, 12 and 3126 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

The Committee further reported that House Bill No. 2245 was considered, but failed to pass.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 3197 and House Joint Resolution(s) No(s). 682. Under the rules, each was transmitted to the Calendar and Rules Committee.

CAPTION BILLS REFERRED

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1016 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 1016 -- Judges and Chancellors -- House State & Local Government Committee

CONSENT CALENDAR

House Resolution No. 171 -- Naming and Designating - "American Horticulture Society Week," April 30-May 2, 1998. by *Buck.

***House Joint Resolution No. 593** -- Naming and Designating - "Frankland National Guard Armory," Jackson. by *Kisber, *McDaniel.

***House Bill No. 2130** -- Taxes, Real Property - Clarifies time of certification of delinquent municipal property taxes as of May 1 of second calendar year after due date. Amends TCA Section 67-5-2005. by *West. (SB2249 by *Rochelle)

On motion, House Bill No. 2130 was made to conform with **Senate Bill No. 2249**; the Senate Bill was substituted for the House Bill.

***Senate Joint Resolution No. 404** -- Highway Signs - "Charles A. Davis Memorial Bridge," S.R. 99, Buffalo River, Lewis County. by *Springer.

***House Bill No. 2986** -- Highway Signs - City of Celina, I-40. by *Winningham, *Cross. (SB3242 by *Burks)

On motion, House Bill No. 2986 was made to conform with **Senate Bill No. 3242**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2058** -- Sunset Laws - Board of review, department of employment security, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by *Kernell, *Garrett, *Brooks. (SB2086 by *Springer)

On motion, House Bill No. 2058 was made to conform with **Senate Bill No. 2086**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2059** -- Sunset Laws - Appeals tribunal, department of employment security, June 30, 2004. Amends TCA Title 4, Chapter 29; Title 50, Chapter 7. by *Kernell, *Garrett, *Brooks. (SB2085 by *Springer)

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On motion, House Bill No. 2059 was made to conform with **Senate Bill No. 2085**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2060** -- Sunset Laws - Department of employment security, June 30, 2004. by *Kernell, *Garrett, *Brooks. (SB2084 by *Springer, *Dixon)

On motion, House Bill No. 2060 was made to conform with **Senate Bill No. 2084**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2061** -- Sunset Laws - Sex offender treatment board, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 39, Chapter 13. by *Kernell, *Garrett, *Brooks. (SB2083 by *Springer)

On motion, House Bill No. 2061 was made to conform with **Senate Bill No. 2083**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2057** -- Sunset Laws - Employment security advisory council, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 50, Chapter 7. by *Kernell, *Garrett, *Brooks. (SB2087 by *Springer, *Dixon)

On motion, House Bill No. 2057 was made to conform with **Senate Bill No. 2087**; the Senate Bill was substituted for the House Bill.

House Bill No. 2808 -- Local Education Agency - Allows local education agency to deny enrollment to student suspended or expelled from another agency in this or another state. Amends TCA Section 49-6-3401. by *Davis R, *Whitson, *Davidson. (*SB2715 by *Womack, *Graves, *Springer)

On motion, House Bill No. 2808 was made to conform with **Senate Bill No. 2715**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2886** -- Education - Redesignates subjects to be covered by high school performance tests; requires passage of all required comprehensive assessment tests for graduation. Amends TCA Sections 49-1-608 and 49-6-6001(a)(1). by *Davis R, *Davidson, *McDaniel. (SB3100 by *Womack, *Atchley)

On motion, House Bill No. 2886 was made to conform with **Senate Bill No. 3100**; the Senate Bill was substituted for the House Bill.

House Bill No. 3039 -- Memorials, Government Officials - Urges department of transportation to widen State Highway 13 from Linden to I-40. by *Tidwell. (*SB3160 by *Springer)

On motion, House Bill No. 3039 was made to conform with **Senate Bill No. 3160**; the Senate Bill was substituted for the House Bill.

House Bill No. 3188 -- Penal and Reformatory Institutions - Clarifies that provisions requiring notification of certain officials upon escape of inmate; includes any escape from a prison or facility operated by private prison contractor. Amends TCA Title 41. by *McMillan. (*SB2583 by *Herron)

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On motion, House Bill No. 3188 was made to conform with **Senate Bill No. 2583**; the Senate Bill was substituted for the House Bill.

***House Bill No. 2725** -- Liens - Expands requirement for police department to notify lienholder when vehicle taken into custody, to also require any law enforcement agency to notify lienholder when vehicle taken into custody and transferred to garagekeeper or towing firm . Amends TCA Title 40; Title 53; Title 55 and Title 66. by *Sharp. (SB3120 by *Springer, *Crutchfield)

House Bill No. 3403 -- Fentress County - Subject to local approval, increases size of county board of education to ten members, with two members being elected from each of five school districts; staggers terms so that one member from each district is elected at each regular August election; makes provisions for incumbent members to serve remainder of respective terms Amends Chapter 251 of the Private Acts of 1972, as amended. by *Windle. (SB3403 by *Davis L)

House Bill No. 3407 -- Johnson County - Subject to local approval, expands board of education from five to seven members; rearranges districts. Amends Chapter 183 of the Private Acts of 1949, as amended. by *Mumpower. (SB3406 by *Crowe)

House Bill No. 3408 -- Mountain City - Subject to local approval, revises term of office for mayor and aldermen and appointment and terms of other officers Amends Chapter 133 of the Private Acts of 1986, as amended. by *Mumpower. (SB3405 by *Crowe)

House Bill No. 3409 -- Chester County - Subject to local approval, expands definition of "operator" under hotel motel tax to include the state Amends Chapter 70 of the Private Acts of 1997. by *Walley. (SB3400 by *Wilder)

House Bill No. 3410 -- Rutherford County - Subject to local approval, revises charter. Amends Chapter 55 of the Private Acts of 1951 as amended. by *Hood, *Eckles. (SB3386 by *Womack)

House Bill No. 3413 -- Williamson County - Subject to local approval, revises bonding powers of Williamson County Hospital District Amends Chapter 107 of the Private Acts of 1957; as amended. by *Williams (Williamson), *Sargent. (SB3408 by *Jordan)

House Bill No. 3415 -- Rhea County - Subject to local approval, makes salary of general sessions judge \$83,305 a year, including supplements, effective 9/1/98. Amends Chapter 92 of the Private Acts of 1997. by *Walker (Rhea). (SB3416 by *Elsea)

House Bill No. 3416 -- Ardmore - Subject to local approval, establishes by ordinance salary of mayor and aldermen. Amends Chapter 801 of the Private Acts of 1949; as amended. by *Fowlkes. (SB3414 by *Cooper)

House Bill No. 3417 -- Pulaski - Subject to local approval, requires property located inside city limits to be shown on city tax rolls prior to property owner being qualified to vote in city elections. Amends Chapter 711 of the Private Acts of 1949. by *Fowlkes. (SB3413 by *Cooper)

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House Bill No. 3418 -- Chapel Hill - Subject to local approval, enacts new charter. - Repeals Chapter 493 of the Private Acts of 1921, as amended. by *Beavers. (SB3411 by *Jordan)

House Bill No. 3419 -- Anderson County - Subject to local approval, sets duties of county attorney; increases salary from \$7,500 to \$12,000. Repeals Chapter 608 of Private Acts of 1947, as amended. by *Caldwell, *Cross. (SB3417 by *McNally)

House Joint Resolution No. 696 -- Memorials, Personal Achievement - Dylan Skidmore, Eagle Scout of the Year. by *Huskey.

House Joint Resolution No. 698 -- Memorials, Recognition and Thanks - Walker Homes Neighborhood Associates Homecoming Celebration. by *Cooper B, *Bowers, *DeBerry L, *Miller L, *Towns, *DeBerry J, *Brooks, *Turner (Shelby), *Jones U (Shelby).

Senate Joint Resolution No. 590 -- Memorials, Academic Achievement - Jennifer Jane Schake, Co-salutatorian, Loretto High School. by *Springer.

Senate Joint Resolution No. 591 -- Memorials, Academic Achievement - Timothy Whittsett, Jr., Valedictorian, Loretto High School. by *Springer.

Senate Joint Resolution No. 593 -- Memorials, Interns - Tonya Shane Thomason. by *Crowe, *Ramsey.

Senate Joint Resolution No. 594 -- Memorials, Death - Archie Wilson Womack. by *Cooper.

Senate Joint Resolution No. 596 -- Memorials, Death - James Dallas "Jimmy" Floyd. by *Rochelle.

Senate Joint Resolution No. 597 -- Memorials, Death - Theodore Roosevelt Armstrong. by *Rochelle.

Senate Joint Resolution No. 598 -- Memorials, Death - Lorene Faye Paris Hughes. by *Rochelle.

Senate Joint Resolution No. 599 -- Memorials, Academic Achievement - Barbara Baker, Valedictorian, Gordonsville High School. by *Rochelle.

Senate Joint Resolution No. 600 -- Memorials, Academic Achievement - Adam Price, Salutatorian, Gordonsville High School. by *Rochelle.

Senate Joint Resolution No. 601 -- Memorials, Death - Howard Adler. by *McNally.

Senate Joint Resolution No. 602 -- Memorials, Public Service - Helen Handley. by *McNally.

Senate Joint Resolution No. 603 -- Memorials, Professional Achievement - Bill Glover, cattle photographer. by *Herron.

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Senate Joint Resolution No. 604 -- Memorials, Death - State Senator Jeff Green of Kentucky. by *Herron.

Senate Joint Resolution No. 605 -- Memorials, Professional Achievement - Jimmy Tosh. by *Herron, *Harper.

Senate Joint Resolution No. 606 -- Memorials, Professional Achievement - Kim Walker, President of Tennessee Register's Association. by *Herron.

Senate Joint Resolution No. 607 -- Memorials, Sports - 1997-1998 Trimble Junior High School boys' basketball team, TNT Invitational Tournament champions. by *Herron.

Senate Joint Resolution No. 608 -- Memorials, Death - Colonel Tom Elam. by *Herron, *Henry, *Haynes, *Herron.

Senate Joint Resolution No. 609 -- Memorials, Death - Barry White. by *Herron.

Senate Joint Resolution No. 610 -- Memorials, Interns - Robert Champ Crocker. by *Springer.

Senate Joint Resolution No. 611 -- Memorials, Sports - 1997-1998 Waverly Central High School boys' basketball team. by *Springer.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2725: by Rep. Sharp

Under the rules, House Bill No: 2725 was/were placed at the foot of the calendar for April 16, 1998.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart,

Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

***Senate Bill No. 3079** -- Fees - Authorizes register in Jefferson County to impose \$2.00 data processing fee for recording of each instrument Amends TCA Section 8-21-1001. by *Williams. (HB2862 by *Roach)

Further consideration of Senate Bill No. 3079 previously March 30, 1998, at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No. 1. The bill was also considered on April 1, 1998 and reset to today's Calendar.

Rep. Roach moved that Senate Bill No. 3079, as amended, be passed on third and final consideration.

Rep. U. Jones moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Rep. U. Jones moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Roach moved that **Senate Bill No. 3079** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Golins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***Senate Bill No. 2192** -- Taxes, Real Property - Specifies public records to be searched by delinquent tax attorney for giving notice to persons having interest in property to be sold are those records in offices of assessor of property, trustee and register of deeds. Amends TCA Title 67. by *Rochelle. (HB2234 by *Rhinehart)

Further consideration of Senate Bill No. 2192 previously considered on April 9, 1998, at which time the Senate Bill was substituted for the House Bill and reset to today's Calendar.

Rep. Rhinehart moved that Senate Bill No. 2192 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2192 by inserting in the amendatory language of Section 1, between the word "trustee" and the words "and register of deeds" the following words and punctuation:

, local office where deeds are recorded,

Rep. Rhinehart moved to amend as follows:

Amendment No. 1 to Amendment No. 1

AMEND Senate Bill No. 2192 by deleting in House State and Local Government Committee Amendment Number 1 the language "where deeds are recorded," and by substituting instead the language "where wills are recorded,".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

On motion, Amendment No. 1, as amended, was adopted.

Rep. Kent moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2192 by adding the following new section after Section 1 and renumbering existing sections accordingly:

SECTION ___. Tennessee Code Annotated, Section 67-5-502, is amended by adding the words "unless such property is the subject of a lawful agreement between the lessee and a local government for payments in lieu of taxes" at the end of the first sentence of subsection (c).

On motion, Amendment No. 2 was adopted.

Rep. Rhinehart moved that **Senate Bill No. 2192**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Maddox -- 1.

A motion to reconsider was tabled.

***House Joint Resolution No. 619** -- General Assembly, Directed Studies - Provides for study and analysis of funding and payments by TennCare program by comptroller of the treasury. by *Hargrove.

Rep. Hargrove moved adoption of House Joint Resolution No. 619.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 619 By adding the following new resolving clause:

BE IT FURTHER RESOLVED, That the provisions of this resolution shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this resolution unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Joint Resolution No. 619 by deleting the last sentence of the first resolving clause and by substituting instead the following:

The study shall also include an analysis of TennCare benefits, eligibility, premiums, the impact of the program closure to the uninsured and the impact on the program of medicare uninsurable eligibility.

On motion, Amendment No. 2 was adopted.

Rep. Hargrove moved adoption of **House Joint Resolution No. 619**, as amended, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2772 -- Bail, Bail Bonds - Makes bounty hunting Class E felony. Amends TCA Title 40, Chapter 11. by *Buck, *Scroggs, *Kent, *Cole (Carter), *Bowers. (*SB2802 by *Rochelle)

Further consideration of House Bill No. 2772 previously considered on April 9, 1998, and reset to today's Calendar.

Rep. Buck moved that House Bill No. 2772 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2772 by deleting Section 1 in its entirety and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 11, Part 3, is amended by adding the following new section:

40-11-3___. Bounty hunting. (a)(1) "Bounty hunting" is defined as a person who acts as an agent of a professional bondsman who attempts to, or takes into custody a person for a fee, the payment of which is contingent upon the taking of a person into custody and returning said person to the custody of the professional bondsman for whom the bounty hunter works; provided, however, that bounty hunting shall not include the taking into custody of a person by a professional bondsman.

(b) No person who has been convicted of a felony shall serve as a bounty hunter in the state of Tennessee. Persons having been convicted of a felony who perform the services of a bounty hunter as defined herein shall be guilty of a criminal offense, punishable as a Class E felony.

(c) Before a bounty hunter takes into custody any person who has failed to appear in court, such bounty hunter shall present to the office of the chief law enforcement officer of the political subdivision where the taking will occur:

(1) a copy of the applicable warrant;

(2) a copy of the bond; and

(3) proper credentials from a professional bondsman in Tennessee or another state verifying that the bounty hunter is an agent of a professional bondsman.

Failure to present all of the proper credentials as specified herein to the office of the chief law enforcement officer prior to taking any person into custody shall be punishable as a Class E felony.

On motion, Amendment No. 1 was adopted.

Rep. Dunn moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2772 by adding the following at the end of the definition of "bounty hunting":

"Bounty hunting" does not include the taking into custody of a person for a fee when the fee consists of a reward offered by the family of a person who has been murdered or kidnapped or a reward offered on behalf of the family.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that **House Bill No. 2772**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
 Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 3299 -- Professions and Occupations - Excludes Christian Science practitioners from TCA Title 63, Chapter 22, regarding professional counselors, marital and family therapists and clinical pastoral therapists. Amends TCA Section 63-22-204. by *Mumpower. (*SB3255 by *Ramsey)

Further consideration of House Bill No. 3299 previously considered on April 9, 1998, and reset to today's Calendar.

Rep. Mumpower moved that House Bill No. 3299 be passed on third and final consideration.

Rep. Burchett moved the previous question, which motion prevailed.

Rep. Mumpower moved that **House Bill No. 3299** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
 Noes 0
 Present and not voting 2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Brooks, Cooper -- 2.

A motion to reconsider was tabled.

***House Bill No. 2560** -- Sexual Offenses - Creates Class E felony offense of adult soliciting minor to engage in conduct that would constitute offense of rape of child, aggravated rape, rape, aggravated sexual battery, sexual battery, statutory rape or especially aggravated sexual exploitation of minor. Amends TCA Title 39, Chapter 13, Part 5. by *Jackson, *Newton, *Buck. (SB2853 by *Springer)

Further consideration of House Bill No. 2560 previously considered on April 6, 1998, and reset to today's Calendar.

Rep. Jackson requested that House Bill No. 2560 be moved to the heel of the Calendar.

***House Bill No. 2571** -- Environmental Preservation - Requires commissioner of environment and conservation to maintain list of general permits and persons operating thereunder, list to be available to public and posted on Internet. Amends TCA Title 68 and Title 69. by *Jackson, *Buck. (SB2861 by *Springer)

Further consideration of House Bill No. 2571 previously considered on April 6, 1998, and reset to today's Calendar.

Rep. Jackson moved that House Bill No. 2571 be passed on third and final consideration.

Rep. Cross moved adoption of Conservation and Environment Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2571 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 69-10-216, is amended by deleting subsection (b) and substituting instead the following:

(b)(1) It is unlawful for any person less than twelve (12) years of age to operate any vessel propelled by machinery upon the waters of Tennessee unless such person is under the direct supervision of an adult. Such prohibition does not apply if:

(A) The person is operating a vessel powered by an outboard motor of eight and one-half (8.5) horsepower or less;

(B) The person is at least ten (10) years of age but less than twelve (12) years of age; and

(i) The vessel is at least fourteen feet (14') in length; and

(ii) The vessel has an outboard motor of less than fifteen (15) horsepower; and

(iii) The operator of the vessel has successfully completed a boater safety course approved by the Tennessee Wildlife Resources Agency.

(2) For the purpose of this subsection "direct supervision" means being in such proximity with the operator so as to be able to take immediate control of the vessel.

(3) Such supervising adult shall be jointly liable with the owner of a vessel as provided in Tennessee Code Annotated, Section 69-10-215.

SECTION 2 This act shall take effect July 1, 1998, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Jackson moved that **House Bill No. 2571**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 2513** -- Emergency Communications Districts - Add non-emergency care to care provided by EMTs. Amends TCA Title 68, Chapter 140, Part 5. by *Jackson, *Jones U (Shelby), *Armstrong, *Buck. (SB2836 by *Ramsey, *Springer, *Ford J)

Further consideration of House Bill No. 2513 previously considered on April 6, 1998, and reset to today's Calendar.

Rep. Jackson moved that House Bill No. 2513 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2513 by deleting all language after the enacting clause and substituting in its place the following language:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 140, Part 5, is amended by adding the following language as a new section:

Section _____. (a) A local government or any licensed ambulance service may utilize one (1) of its employees licensed as an EMT-P as their designated officer for exposure control to perform infection control procedures necessary for prevention, exposure control and post-exposure evaluation on persons employed by that local government or licensed ambulance service as emergency response employees.

(b) For the purposes of this part, "emergency response employees" (EREs) shall include paramedics, fire fighters, first response workers, and emergency medical technicians.

(c) All procedures authorized by this part shall be approved and performed under the medical direction of a Tennessee licensed physician.

(d) For the purposes of this part, infection control procedures shall include the following:

(1) Administering tuberculosis skin tests, influenza immunizations, hepatitis B immunizations, and other immunizations as ordered by the medical director;

(2) Conducting prevention, informational and education programs for EREs pertaining to airborne and bloodborne diseases; and

(3) Post-exposure evaluation of an ERE who may have been exposed to potentially life-threatening airborne or bloodborne diseases, including, but not limited to, tuberculosis, HIV or hepatitis B. Said evaluation shall consist of ascertaining information relative to the events regarding the perceived exposure, as well as assessing the degree or significance of the exposure for the purpose of informing the medical director. The medical director shall determine the potential public health risk and recommend the immediate course of action pertaining to the medical care of the ERE and any potential public health risk relative thereto. Further evaluation, treatment and follow-up of the

ERE's condition shall be performed at a licensed hospital or physician's office.

(e) Nothing in this part shall relieve nor limit any entity employing EREs from the statutory obligations imposed under Tennessee Code Annotated, Title 68, Chapter 10; Title 50, Chapter 3; or from occupational safety and health standards promulgated pursuant to 29 CFR 1910.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it.

Rep. Jackson moved to amend as follows:

Amendment No. 1 to Amendment No. 1

AMEND House Bill No. 2513 in subsection (a) of the amendatory language of Section 1 by inserting the language "or more" between the language "utilize one (1)" and "or its employees", and by inserting the language "or officers" between the language "designated officer" and "for exposure".

AND FURTHER AMEND in subdivision (d)(3) of the amendatory language of Section 1 by deleting the word "form" and replacing it with the word "from".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

On motion, Amendment No. 1, as amended, was adopted.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2513 by inserting in subsection (d)(1) of Section 1 between the words "immunizations" and "as" the following language:

to EREs

On motion, Amendment No. 2 was adopted.

Rep. Jackson moved that **House Bill No. 2513**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower,

Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 2085** -- Capital Punishment - Establishes lethal injection as option for execution of death sentence; permits sentencing jury to determine which execution method shall be employed. Amends TCA Section 39-13-204 and Section 40-23-114. by *Newton, *Buck, *Stamps. (SB2477 by *Miller J)

Rep. Newton moved that House Bill No. 2085 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 2.

Rep. Buck moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2085 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-23-114, is amended by deleting the language "Whenever any person is sentenced to the punishment of death," and by substituting instead "For any person who commits an offense prior to January 1, 1999 for which such person is sentenced to the punishment of death,".

SECTION 2. Tennessee Code Annotated, Section 40-23-114, is further amended by designating the existing section as amended by Section 1 of this act, as subsection (a) and by adding the following new subsection (b):

(b) For any person who commits an offense on or after January 1, 1999 for which such person is sentenced to the punishment of death, the court shall direct that the person be put to death by lethal injection.

SECTION 3. Tennessee Code Annotated, Section 40-23-114, is amended by adding the following new subsection (c):

(c) Any person who commits an offense prior to January 1, 1999 for which such person is sentenced to the punishment of death may elect to be executed by lethal injection by signing a written waiver waiving the right to be executed by the method of execution in effect at the time the offense was committed.

SECTION 4. If the method of execution established by this act is for any reason determined by a court of competent jurisdiction to be unconstitutional, the law establishing the method of execution as death by electrocution is revived and electrocution shall be the method of execution in this state. All statutory procedures, rules and departmental policy enacted or promulgated to effectuate a sentence of death by electrocution shall also be revived and shall be in full force and effect.

SECTION 5. The department of correction is authorized to promulgate necessary rules and regulations to facilitate the implementation of this act.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 3 was adopted.

Rep. Hargett moved the previous question, which motion prevailed by the following vote:

Ayes.....	66
Noes	22
Present and not voting	2

Representatives voting aye were: Beavers, Bird, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, Eckles, Ferguson, Ford, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Kent, Kerr, Kisber, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Ritchie, Robinson, Sands, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, Whitson, Wood -- 66.

Representatives voting no were: Armstrong, Arriola, Brooks, Caldwell, Chumney, Cooper, Dunn, Fitzhugh, Fowlkes, Jones S., Langster, Lewis, Maddox, Miller, Ridgeway, Sargent, Towns, Turner (Shelby), White, Windle, Winningham, Mr. Speaker Naifeh -- 22.

Representatives present and not voting were: DeBerry L., Kernell -- 2.

Rep. Newton moved that **House Bill No. 2085**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	87
Noes	7

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker

(Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Brooks, Cooper, Jones U., Maddox, Miller, Towns, Turner (Shelby) -- 7.

A motion to reconsider was tabled.

House Bill No. 3267 -- Solid Waste Disposal - Provides for collection of surcharge fee on solid waste to be collected at transfer station rather than solid waste disposal facility or incinerator unless otherwise provided by contract between transfer station or facility or incinerator, only one surcharge for same solid waste. Amends TCA Section 68-211-835(d). by *Bone. (*SB3148 by *Kyle)

On motion, House Bill No. 3267 was made to conform with **Senate Bill No. 3148**; the Senate Bill was substituted for the House Bill.

Rep. Bone moved that Senate Bill No. 3148 be passed on third and final consideration.

Rep. Bowers moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3148 By adding the following language at the end of the amendatory language of Section 3:

If a surcharge is collected at a transfer station and the waste upon which the surcharge was collected is shipped from the transfer station for ultimate disposal out of state, a credit shall be allowed in an amount equal to any similar surcharge paid to the state in which such wastes are ultimately disposed. The department shall establish appropriate procedures for accounting for such credits and is authorized to develop any necessary forms to implement the credit authorized by the provisions of this act.

Rep. Hargrove moved that Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	73
Noes	15
Present and not voting	1

Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Kent, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Patton, Phelan, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 73.

Representatives voting no were: Armstrong, Bowers, Brooks, Cooper, DeBerry J., DeBerry L., Dunn, Ford, Haley, Kernell, Miller, Odom, Pleasant, Pruitt, Towns -- 15.

Representatives present and not voting were: Turner (Shelby) -- 1.

Rep. Bowers moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 3148 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than eight hundred twenty-five thousand (825,000) nor more than eight hundred thirty thousand (830,000) according to the 1990 federal census or any subsequent federal census.

Rep. Hargrove moved that Amendment No. 2 be tabled, which motion was immediately withdrawn.

Rep. Bowers moved that Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Hargrove requested that Amendment No. 3 be moved to the heel of the Amendments.

Rep. Odom moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND Senate Bill No. 3148 by adding the following language at the end of the amendatory language of Section 3:

Provided, however, such surcharge shall not be collected if the municipal solid waste is to be transported to a location outside the state of Tennessee for final disposition.

Rep. Hargrove moved that Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes	63
Noes	26
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Buck, Burchett, Caldwell, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, Eckles, Fitzhugh, Fowlkes, Fraley, Godsey, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Kerr, Langster, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Patton, Phelan, Pinion, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, Westmoreland, White, Williams, Windle, Wood, Mr. Speaker Naifeh -- 63.

Representatives voting no were: Bowers, Brooks, Chumney, Cooper, Cross, DeBerry L., Dunn, Ferguson, Ford, Givens, Goins, Haley, Hargett, Jackson, Jones U., Kent, Kernell, Miller, Odom, Pleasant, Pruitt, Ritchie, Robinson, Towns, West, Whitson -- 26.

Representatives present and not voting were: Turner (Shelby) -- 1.

Rep. Hargrove moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Westmoreland moved the previous question, which motion prevailed.

Rep. Bone moved that **Senate Bill No. 3148**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	79
Noes	13
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Buck, Burchett, Caldwell, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Patton, Phelan, Pinion, Pruitt, Rhinehart, Ridgeway, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, Westmoreland, White, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Bowers, Brooks, Chumney, Cooper, Dunn, Haley, Hargett, Kernell, Miller, Odom, Pleasant, Rinks, Towns -- 13.

Representatives present and not voting were: West, Whitson -- 2.

A motion to reconsider was tabled.

House Bill No. 2182 -- Sunset Laws - Renal disease advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 35. by *Kernell, *Garrett, *Brooks. (*SB2106 by *Springer)

On motion, House Bill No. 2182 was made to conform with **Senate Bill No. 2106**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No(s). 2106 be reset for the first place on the Regular Calendar of next week, which motion prevailed.

***House Bill No. 2063** -- Sunset Laws - Tennessee wars commission, June 30, 2005. Amends TCA Title 4, Chapter 29. by *Kernell, *Garrett, *Brooks. (SB2075 by *Springer)

On motion, House Bill No. 2063 was made to conform with **Senate Bill No. 2075**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that **Senate Bill No. 2075** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Boner, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2181 -- Sunset Laws - Traumatic brain injury advisory council, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 55. by *Kernell, *Garrett, *Brooks. (*SB2107 by *Springer)

On motion, House Bill No. 2181 was made to conform with **Senate Bill No. 2107**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2107 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 2107** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner

(Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 3056 -- Managed Care Organizations - Prohibits health insurers and managed care organizations from refusing to contract with physician due to disciplinary action occurring more than ten years ago. Amends TCA Title 56 and Title 63, Chapter 10. by *Windle, *Kisber. (*SB3169 by *Davis L)

Rep. Kisber moved that House Bill No. 3056 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3056 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 63-10-602, is amended by deleting the section in its entirety and by substituting instead the following language:

Section 63-10-602.

(1) All national, state or local public or private organizations, institutions, foundations, systems, provider networks or professional associations or societies that maintain a peer review committee; and

(2) Any managed care organization regulated under Title 56, Chapter 32, or any entity regulated under Chapters 7, 25, 26, 27, 28, 29, and 32 of this title that contracts with or employs physicians to render health care services to individuals covered or insured by such organization or entity in accordance with applicable state laws and maintains a peer review committee; and

(3) Any person under a contract or other formal agreement with such peer review committee, and any person who participates in or assists that peer review committee, and members of boards of directors or trustees of any organization or other entity operating a peer review committee, and any individual appointed to such peer review committee;

is immune from liability to any patient, individual or organization for furnishing information, data, reports or records to any such committee, or for damages resulting from any decision, opinions, actions and proceedings rendered, entered or acted upon by such committee, if made or taken in good faith without malice and on the basis of facts reasonably known or reasonably believed to exist.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 10, Part 6, is amended by adding the following language as a new section to be designated as Section 63-10-607:

Section 63-10-607. (a) The board of medical examiners shall have the authority to modify any of its orders concerning actions taken pursuant to subsection 63-6-214(b)(10), upon request of any party, by issuing a conditional license to practice medicine in this state to a person whose license has previously been denied, withheld, suspended or revoked in accordance with that subsection because the individual was convicted of an offense under state or federal drug laws. The board may take such action only:

(1) After the greater of three (3) years or the expiration of any sentence imposed upon a person convicted of such an offense, without consideration of whether the individual was released or remained incarcerated throughout the term of such sentence;

(2) After the individual has fully complied with any other terms of such sentence, such as payment of a fine or performance of community services;

(3) If that individual has made arrangements that are satisfactory to the board, in its discretion, to practice under the supervision of a licensed physician for a period of not less than five (5) years following the issuance of the conditional license;

(4) The individual has entered into an agreement with the Tennessee Medical Foundation or other professional associations or foundations which the board, at its discretion, finds to be satisfactory; and

(5) The individual discloses the fact that he or she has a conditional license and the basis for such conditions, in writing, to all of his or her patients.

The failure of an individual who has been granted a conditional license pursuant to this subsection to fully comply with the conditions set forth in the preceding sentence shall be cause for the immediate termination of that conditional license in accordance with applicable provisions of Section 63-6-214.

(b) Any entity or organization referenced in subsection (a) or (b) of Section 63-10-602 shall not refuse to grant privileges to or contract with, respectively, a physician holding a conditional medical license issued pursuant to subsection (a) solely because that physician has previously been convicted of an offense under state or federal drug laws. Any such entity or organization shall not refuse to grant privileges to or contract with a physician who was convicted of an offense under state or

federal drug laws prior to the effective date of subsection (a), if that physician has satisfied the conditions set forth in subsection (a). Such entities or organizations shall not be required to grant privileges to or contract with a physician holding a conditional license or who was previously convicted of a state or federal drug offense, however, unless that physician:

- (1) Is not subject to any Medicare, Medicaid or TennCare sanction;
- (2) Has an unrestricted certificate from the federal drug enforcement administration;
- (3) Satisfies all of the entity's or organization's credentialing requirements, including acceptance by an organization's peer review committee operating pursuant to Section 63-10-602; and
- (4) Accepts and complies with all terms and conditions of the privileges or contract offered to that physician by that entity or organization.

There shall be a presumption that an entity or organization who grants privileges to or contracts with a physician pursuant to this subsection has exercised reasonable care in taking such action.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3056 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall expire on July 1, 2000.

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved that **House Bill No. 3056**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	74
Noes	10
Present and not voting	10

Representatives voting aye were: Armstrong, Arriola, Bird, Bittle, Boner, Bowers, Boyer, Buck, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones U., Kent, Kerr, Kisber, Langster, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Turner (Hamilton), Turner (Shelby), Walker (Rhea), Walley, West, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 74.

Representatives voting no were: Beavers, Burchett, Halteman-Harwell, Lewis, Ritchie, Stamps, Tindell, Towns, Walker (Blount), Westmoreland -- 10.

Representatives present and not voting were: Brooks, Caldwell, Chumney, Cooper, Cross, Jackson, Jones S., Kernell, Odom, Tidwell -- 10.

A motion to reconsider was tabled.

House Bill No. 2898 -- Bond Issues - Terminates local development authority's power to issue bonds for mental health and mental retardation facilities if other bond authority legislation enacted. Amends TCA Title 4, Chapter 31. by *Kisber. (*SB3018 by *Henry)

Rep. Kisber moved that House Bill No. 2898 be passed on third and final consideration.

Rep. Kisber requested that Amendment No. 1 be moved to the heel of the Amendments.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2898 In Section 3 by deleting the language "Senate Bill _____, House Bill _____," and by substituting instead the language "Senate Bill 3017, House Bill 2899,".

On motion, Amendment No. 2 was adopted.

Rep. Kisber moved that Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Kisber moved that **House Bill No. 2898**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 2899 -- Bond Issues - Authorizes issuance of \$27 million for DMHMR to refund debt. by *Kisber. (*SB3017 by *Henry)

On motion, House Bill No. 2899 was made to conform with **Senate Bill No. 3017**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that **Senate Bill No. 3017** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2363 -- Taxes, Privilege - Phases in over three fiscal years credit against surcharge or tax on rental cars Amends TCA Title 67, Chapter 4, Part 19. by *Kisber, *DeBerry L., *Phillips. (*SB2461 by *Cooper)

On motion, House Bill No. 2363 was made to conform with **Senate Bill No. 2461**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 2461 be passed on third and final consideration.

On motion, Rep. Kisber withdrew Finance, Ways & Means Committee Amendment No. 1.

Rep. Kisber moved that **Senate Bill No. 2461** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	4
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Goins, Ritchie, Walker (Blount), Winningham -- 4.

Representatives present and not voting were: Beavers -- 1.

A motion to reconsider was tabled.

House Bill No. 2632 -- Education - Permits corporal punishment by parent or guardian in lieu of suspension except for possession of firearm, knife, or off campus criminal behavior which results in felony charge. Amends TCA Title 49, Chapter 6, Part 34. by *Cooper B, *Jones U (Shelby), *Armstrong, *Towns, *Miller L, *Pruitt, *Langster, *DeBerry J, *Turner (Shelby). (*SB2157 by *Dixon)

Rep. Cooper moved that House Bill No. 2632 be passed on third and final consideration.

Rep. Davidson moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2632 by deleting Section 1 of the printed bill and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3401(c)(2) is amended by deleting the first four (4) lines of subdivision (c)(2) and substituting the following:

Upon suspension of any student for either in-school suspension or out-of-school suspension, the principal or the principal's designee shall, as soon as possible but not more than twenty-four (24) hours after the incident, notify the parent or guardian of the suspension and the incident which led to the suspension. The principal, or the principal's designee shall also, within twenty-four (24) hours, notify the superintendent or the superintendent's designee of:

On motion, Amendment No. 1 was adopted.

On motion, House Bill No. 2632 was moved down 3 places on the Calendar.

House Joint Resolution No. 499 -- Naming and Designating - "Officer Don Williams Day," February 1, 1998. by *Cooper B, *Towns, *Miller L, *Jones U (Shelby), *Turner (Shelby), *Brooks, *Brown, *Armstrong.

Rep. Cooper moved adoption of House Joint Resolution No. 499.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Joint Resolution No. 499 by deleting from the first resolving clause the language "Sunday, February 1, 1998," and substituting instead the language "Sunday, February 7, 1999,".

On motion, Amendment No. 1 was adopted.

Rep. Cooper moved adoption of **House Joint Resolution No. 499**, as amended, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2162 -- Sunset Laws - Genetic advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 5. by *Kernell, *Garrett, *Brooks. (*SB2101 by *Springer)

On motion, House Bill No. 2162 was made to conform with **Senate Bill No. 2101**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2101 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 2101** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2164 -- Sunset Laws - Interagency council on osteoporosis, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks. (*SB2104 by *Springer)

On motion, House Bill No. 2164 was made to conform with **Senate Bill No. 2104**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2104 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 2104** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 2632 -- Education - Permits corporal punishment by parent or guardian in lieu of suspension except for possession of firearm, knife, or off campus criminal behavior which results in felony charge. Amends TCA Title 49, Chapter 6, Part 34. by *Cooper B, *Jones U (Shelby), *Armstrong, *Towns, *Miller L, *Pruitt, *Langster, *DeBerry J, *Turner (Shelby). (*SB2157 by *Dixon)

Further consideration of House Bill No. 2632 previously considered on today's Calendar at which time the House adopted Amendment No. 1.

Rep. Cooper moved that **House Bill No. 2632**, as amended, be passed on third and final consideration which motion prevailed by the following vote:

Ayes 95
Noes 1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

House Bill No. 2165 -- Sunset Laws - Public health council, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks. (*SB2105 by *Springer)

On motion, House Bill No. 2165 was made to conform with **Senate Bill No. 2105**; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 2105 be passed on third and final consideration.

On motion, Rep. Kernell withdrew Government Operations Committee Amendment No. 1.

Rep. Kernell moved that **Senate Bill No. 2105** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes	0
Present and not voting	1

Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 94.

Representatives present and not voting were: Armstrong -- 1.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1678** -- Insurance, Fire and Casualty - Allows mutual fire insurance companies located in counties of 600 square miles or more, rather than 650 square miles or more, to increase risk amount. Amends TCA Title 56, Chapter 22, Part 1. by *Davis R. (SB1808 by *Haun)

Rep. Davis moved that House Bill No. 1678 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1678 by deleting the words, punctuation, and figures "six hundred (600) square miles" and substituting the words, punctuation, and figures "six hundred twenty-two (622) square miles".

On motion, Amendment No. 1 was adopted.

Rep. Huskey moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1678 by deleting the words and figures "six hundred (600) square miles" in Section 1 of the printed bill and substituting the words and figures "exactly five hundred ninety-two (592) square miles".

On motion, Amendment No. 2 was adopted.

Rep. Davis moved that **House Bill No. 1678**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2487 -- Education - Abolishes principal-administrator academy. Amends TCA Title 49, Chapter 5, Part 57. by *Davis R, *Huskey, *Roach, *Whitson, *Sargent. (*SB2445 by *Haun)

Rep. Davis moved that House Bill No. 2487 be passed on third and final consideration.

Rep. Davidson requested that Education Committee Amendment No. 1 be moved to the heel of the Amendments.

Rep. Davidson moved adoption of Education Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1678 by deleting the words and figures "six hundred (600) square miles" in Section 1 of the printed bill and substituting the words and figures "exactly five hundred ninety-two (592) square miles".

On motion, Amendment No. 2 was adopted.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Davis moved that **House Bill No. 2487**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 91
Noes 2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Brooks, Buck, Burchett, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Boyer, Caldwell -- 2.

A motion to reconsider was tabled.

***House Bill No. 2878** -- Education - Increases and reorganizes membership of special education advisory council; redefines "child with disabilities." Amends TCA Sections 49-10-101, 49-10-102, 49-10-105. by *Davis R, *McDaniel. (SB3092 by *Crowe, *Atchley)

On motion, House Bill No. 2878 was made to conform with **Senate Bill No. 3092**; the Senate Bill was substituted for the House Bill.

Rep. Davis moved that Senate Bill No. 3092 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. Davis moved that **Senate Bill No. 3092** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0
Present and not voting 2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Brooks, Cooper -- 2.

A motion to reconsider was tabled.

House Bill No. 2876 -- Consumer Protection - Revises consumer protection laws relative to credit service businesses. Amends TCA Title 47, Chapter 18, Part 10. by *Sargent. (*SB3090 by *Carter, *Atchley)

On motion, House Bill No. 2876 was made to conform with **Senate Bill No. 3090**; the Senate Bill was substituted for the House Bill.

Rep. Sargent moved that Senate Bill No. 3090 be passed on third and final consideration.

Rep. West moved adoption of Consumer and Employees Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 3090 by deleting Section 3 in its entirety and by substituting instead the following:

SECTION 3. Tennessee Code Annotated, Section 47-18-1003, is hereby amended by deleting the word "or" at the end of subsection (3), by removing the period at the end of subsection (4) and by adding thereto a semicolon ";", followed by the word "or", and by adding the following subdivisions:

(5) Create, or assist or advise the consumer to create a new credit record by using a different name, address, social security number, or employee identification number;

(6) Provide, in any manner, the services of a credit services business within this state, without registering a bond consistent with the provisions of Section 47-18-1022;

(7) Remove, assist or advise the consumer to remove or otherwise alter adverse information from the consumer's credit record which is accurate or not obsolete;

(8) Create, assist or advise the consumer to request that positive information be inserted or included on the consumer's credit record which is false, inaccurate or obsolete;

(9) Use a program or plan which uses or employs installment payments featuring payments charged directly to a credit card prior to full and complete performance of the services that the credit services business has agreed to perform for or on behalf of the consumer; or

(10) Engaging in any violation of the federal Consumer Credit Protection Act.

AND FURTHER AMEND in Section 5 by deleting the period "." at the end of the sentence and adding a comma "," followed by the words "wherever it appears".

AND FURTHER AMEND in Section 6(a)(1) by deleting the word "and" after the semicolon ";" and substituting instead the following:

"or any amount paid by the person to the credit services business whichever is greater. This remedy is supplemental to any other remedy contained within this chapter."

AND FURTHER AMEND by deleting Section 10 in its entirety and substituting instead the following:

SECTION 10. Tennessee Code Annotated, Section 47-18-1005(1)(C), is amended by inserting a comma "," after the language "nominal charge" followed by the language: "not to exceed eight dollars (\$8.00)." Tennessee Code Annotated, Section 47-18-1005(1)(C), is further amended by deleting the language "thirty (30)" and substituting instead the language "sixty (60)".

AND FURTHER AMEND by adding the following new section:

SECTION 11. This act shall become effective upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Sargent moved that **Senate Bill No. 3090**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2196 -- Surveyors - Exempts from licensing examination certain persons employed as land surveyors. Amends TCA Title 62, Chapter 18. by *Davis R. (*SB2205 by *Haun)

Rep. Davis moved that House Bill No. 2196 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2196 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-18-111, is amended by adding the following new subsection:

(c)(1) Any examination requirement established pursuant to this chapter shall provide that any person shall be exempt from any examination requirements who has a disability under the Americans With Disabilities Act and has attempted the exam at least three (3) times, and such person shall be conclusively presumed to be fully qualified and shall be issued a license to practice land surveying, provided that such person shall have at least:

(A) Four (4) years of full-time work experience as a rod person or chain person or instrument person, or combination thereof, while under the direct supervision of a person qualified to perform land surveying in Tennessee, holding a valid license granting that privilege, and sixty-five (65) years of age or older. The surveyor shall have a minimum of a bachelor of science degree in civil engineering from an accredited college or university located in Tennessee; and

(B) Fifteen (15) continuous years of full-time work experience as a party chief or in computing and mapping or title research and description, or combination thereof, while under the direct supervision of a Tennessee licensed land surveyor who is at least sixty-five (65) years of age. The surveyor shall have a minimum of a bachelor of science degree in civil engineering from an accredited college or university located in Tennessee.

(2) No credit for work experience shall be given to the applicant for work performed by the applicant prior to attaining eighteen (18) years of age or for work as an employee of any governmental entity.

(3) Prima facie evidence of work experience may be submitted to the board in the form of affidavit(s) signed by a Tennessee licensed land surveyor(s) who is at least sixty-five (65) years of age and properly notarized. The surveyor shall attach to the affidavit evidence of the surveyor's education. The surveyor must also recommend the applicant for licensure on a statement of the applicant's ability to perform land surveying based on at least twenty (20) years of supervising the applicant and being fully apprised of the applicant's disability which qualifies the applicant under the Americans With Disabilities Act.

(4) Prima facie evidence of a disability hereunder may be submitted to the board in the form of a statement from a Tennessee licensed physician stating the physician's opinion that the applicant has medical findings consistent with the disability act and qualifies under the Americans With Disabilities Act.

(5) The provisions of this act shall not apply to any person employed by the Tennessee department of transportation.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall be void and of no effect July 31, 1998.

On motion, Amendment No. 1 was adopted.

Rep. Davis moved that **House Bill No. 2196**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	2
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bird, Bittle, Bone, Bowers, Brooks, Buck, Burchett, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Rinks, Ritchie, Roach, Robinson, Sands, Sargent,

Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 89.

Representatives voting no were: Boyer, Ridgeway -- 2.

Representatives present and not voting were: Beavers, Caldwell -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from not voting to aye on House Bill No. 2196 and have this statement entered in the Journal: Rep(s). Maddox.

REGULAR CALENDAR, CONTINUED

House Bill No. 3296 -- Education, Dept. of - Abolishes Tennessee State Special School Teachers' Sick Leave Bank Act; includes all employees and teachers at state special schools in general state employees sick leave bank. Amends TCA Title 8, Chapter 50, Part 9, and to repeal Title 49, Chapter 50, Part 11. by *Davis R. (*SB3250 by *McNally)

Rep. Davis moved that House Bill No. 3296 be passed on third and final consideration.

Rep. Davis moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3296 by deleting all language after the enactment clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-50-901(6), is amended by deleting the period at the end of the subdivision and adding the following:

and all employees and teachers of all state special schools.

SECTION 2. Tennessee Code Annotated, Section 8-50-905(a), is amended by deleting the language "All persons employed by state government who are entitled to accrue sick leave pursuant to part 8 of this chapter, and who have been employed by state government" and by substituting the following:

All employees and teachers of all state special schools and all persons employed by state government who are entitled to accrue sick leave pursuant to part 8 of this chapter, and who have been employed by state government or any state special school

SECTION 3. Tennessee Code Annotated, Section 8-50-905(c), is amended by deleting the word "State" and substituting the following:

Employees and teachers of all state special schools and state

SECTION 4. Notwithstanding any time limitations on time of the year for enrollment set forth in Tennessee Code Annotated, Section 8-50-905(c), any person qualifying under the provisions of this act may elect to participate in the state sick leave bank within ninety (90) days of the effective date of this act. All such qualifying persons shall be entitled to become a member of the state sick leave bank no later than thirty (30) days after the end of this ninety (90) day period.

SECTION 5. Any and all state special school teachers sick leave banks currently existing pursuant to Tennessee Code Annotated, Section 49-50-1101, et seq., shall be dissolved in accordance with Tennessee Code Annotated, Section 49-50-1110, effective no later than December 31, 1998.

SECTION 6. Tennessee Code Annotated, Title 49, Chapter 50, Part 11, is repealed, effective January 1, 1999.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Davis moved that **House Bill No. 3296**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94

Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 1711 -- Health - Requires board of medical examiners to appoint four rather than three physicians to examine physician when board requires mental or physical examination. Amends TCA Title 63, Chapters 6 and 9. by *Caldwell. (*SB860 by *Person)

Rep. Caldwell moved that House Bill No. 1711 be passed on third and final consideration.

Rep. Pruitt moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1711 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 63-6-219(d)(1), is amended by adding the following language at the end of the subsection:

() Such immunity shall also extend to physicians health peer review programs that provide to immediate and extended family members of current or formerly impaired physicians mental and physical health support and referral services.

Section 2. Tennessee Code Annotated, Title 63-6-219, is amended by adding the following language as a new subsection:

() If any provision of the Tennessee Peer Review Act of 1967 or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 3. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 1711 As amended, in the amendatory language of Section 1, by deleting the language "and extended".

On motion, Amendment No. 2 was adopted.

Rep. Caldwell moved that **House Bill No. 1711**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 2750 -- Teachers - Requires employment, transfer, suspension, non-renewal, and dismissal of all school personnel to be in accordance with budget, applicable law, board policies and local negotiated agreements. Amends TCA Section 49-2-301(f) and Section 49-5-510. by *McMillan, *Maddox, *Davidson. (*SB2172 by *Kyle, *Graves, *Womack, *Springer)

On motion, House Bill No. 2750 was made to conform with **Senate Bill No. 2172**; the Senate Bill was substituted for the House Bill.

Rep. McMillan moved that Senate Bill No. 2172 be passed on third and final consideration.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 1.

On motion, Rep. Davidson withdrew Education Committee Amendment No. 2.

Rep. McMillan moved that **Senate Bill No. 2172** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 2531 -- Mental Illness - Enacts "Community Mental Health Center Cooperation Act of 1998." by *McMillan. (*SB2533 by *Rochelle)

Rep. McMillan moved that House Bill No. 2531 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2531 In Section 2 by deleting the language "ended" and by substituting instead the language "funded".

AND FURTHER AMEND in Section 3(b) by deleting the language "metal" and by substituting instead the language "mental", by inserting a the punctuation "," between the word "funding" and the word "pricing", and by deleting the language "ended" and by substituting instead the language "funded".

AND FURTHER AMEND in Section 3(d)(1) by deleting the language "Section 33-3-101(23)" and by substituting instead the language "Tennessee Code Annotated, Section 33-3-101(23)".

AND FURTHER AMEND in Sections 4(c) and (l), 5, and 7 by deleting the language "the Uniform Administrative Procedures Act" and by substituting instead the language "Tennessee Code Annotated, Title 4, Chapter 5".

AND FURTHER AMEND in the second sentence of Section 6(a) by inserting the punctuation "," between the language "department" and the language "the conduct".

AND FURTHER AMEND in Section 6(b) by deleting the language "subsection (d)" and by substituting instead the language "Section 3(d)".

On motion, Amendment No. 1 was adopted.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2531 By deleting Section 10 in its entirety and by substituting instead the following as a new Section 10:

Section 10. For rulemaking purposes only, this act shall take effect on becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect on January 1, 1999.

On motion, Amendment No. 2 was adopted.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 2531 by inserting in subsection (e) of Section 3 of the amendatory language of the printed bill the words and punctuation "behavioral health organization," between the words and punctuation "health maintenance organization," and the word "or".

On motion, Amendment No. 3 was adopted.

Rep. McMillan moved that **House Bill No. 2531**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2528** -- Custody and Support - Prohibits court from ordering visitation rights to parent of child who has been convicted of first degree murder of child's other parent unless child assents to such order. Amends TCA Title 36, Chapter 6, Part 3. by *McMillan. (SB2797 by *Rochelle)

Rep. McMillan moved that House Bill No. 2528 be passed on third and final consideration.

Rep. Chumney moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2528 by deleting Section 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-6-301, is amended by inserting the following language immediately after the second sentence:

If the non-custodial parent has been convicted of the murder of the child's other parent, then the court shall not order visitation rights to such non-custodial parent unless:

(1) the court affirmatively finds, by clear and convincing evidence, that such visitation is in the child's best interest; or

(2) the child's custodian or legal guardian consents to such order; and

(3) the court hears and considers the reasonable preference of the child if such child is twelve (12) years of age or older. (The court may hear the preference of a younger child upon request. The preferences of older children should normally be given greater weight than the preferences of younger children.)

On motion, Amendment No. 1 was adopted.

Rep. McMillan moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2528 by deleting the language "non-custodial" from the amendatory language in Section 1.

On motion, Amendment No. 2 was adopted.

Rep. McMillan moved that **House Bill No. 2528**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley,

West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

***House Bill No. 222** -- Physicians and Surgeons - Requires doctors to post a list of fees, to inform patients that they will be seen by health care provider other than doctor and to reschedule doctor cancelled appointments as soon as practicable. Amends TCA Title 63 and Title 68. by *Turner (Hamilton), *Brooks, *Pruitt, *Odom. (SB238 by *Harper)

Rep. Odom moved that House Bill No. 222 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 222 by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 63-13-308(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) Each time any person licensed to practice physical therapy or to act as a physical therapist's assistant treats human ailments by physical therapy, or otherwise, except under written or oral referral of a person who holds a license to practice medicine, chiropractic, dentistry, podiatry, osteopathic medicine or chiropractic, or in the case of a physical therapist assistant under the supervision of a licensed physical therapist, and each time any person practices physical therapy or acts as a physical therapist assistant without meeting all requirements of this part, constitutes a separate offense.

Section 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Odom moved that **House Bill No. 222**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 3107 -- Constitutional Conventions - Proposes amendment to Article XI, Section 5, relative to lotteries. by *Williams (Williamson), *Newton. (*SB3103 by *Crutchfield, *Jordan)

Rep. Williams moved that House Bill No. 3107 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3107 by deleting from SECTION 1 the following words and figures:

"regular August election, to be held on Thursday, August 6, 1998"

and by substituting instead the following words and figures:

regular November election, to be held on Tuesday, November 3, 1998

AND FURTHER AMEND by deleting from the first sentence of SECTION 3 the following words and figures:

"regular November election which shall be held on Tuesday, November 3, 1998"

and by substituting instead the following new words and figures:

regular August election which shall be held on Thursday, August 3, 2000.

AND FURTHER AMEND by deleting from the first sentence of the second paragraph of SECTION 4 the following words and figures:

"on Friday, September 4, 1998"

and by substituting instead the following words and figures:

on Thursday, May 18, 2000.

AND FURTHER AMEND by deleting from the first sentence the first paragraph of SECTION 5 the following words and figures:

"Monday, November 23, 1998"

and by substituting instead the following words and figures:

Tuesday, September 12, 2000.

AND FURTHER AMEND by deleting the third sentence of the second paragraph of SECTION 5.

AND FURTHER AMEND by deleting from the first sentence of SECTION 6 the words and figures "Thursday, August 6, 1998" and by substituting instead the words and figures "Tuesday, November 3, 1998".

AND FURTHER AMEND by deleting from the fifth sentence of SECTION 6 the words and figures "Tuesday, November 3, 1998" and by substituting instead the words and figures "Thursday, August 3, 2000".

AND FURTHER AMEND by deleting from the sixth sentence of SECTION 6 the words and figures "1998 regular August election" and by substituting instead the words and figures "1998 regular November election".

AND FURTHER AMEND by deleting from the sixth sentence of SECTION 6 the words and figures "1998 regular November election" and by substituting instead the words and figures "2000 regular August election".

AND FURTHER AMEND BY deleting from the second sentence of SECTION 7 the words and figures "December 17, 1998" and by substituting instead the words and figures "December 1, 2000".

AND FURTHER AMEND BY deleting from the first sentence of SECTION 8 the following words and figures:

"on Tuesday, March 2, 1990."

and by substituting instead the following language:

on such date as may be fixed by the convention.

On motion, Amendment No. 1 was adopted.

Rep. Boyer moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3107 by deleting from the second sentence of Section 3 of the printed bill the words, figures and symbols "thirty-three (33) delegates" and by substituting instead the following:

ninety-nine (99) delegates

AND FURTHER AMEND by deleting from Sections 3, 4 and 5 of the printed bill the words "senatorial district" and by substituting instead the following:

state representative district

AND FURTHER AMEND by deleting from the first sentence of Section 3 of the printed bill the words "senatorial districts" and by substituting instead the following:

state representative districts

AND FURTHER AMEND by deleting from Section 3 of the printed bill the words "senate of the general assembly of Tennessee" and by substituting instead the following:

house of representatives of the general assembly of Tennessee

Rep. Williams moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes	55
Noes	37
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Brooks, Buck, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry L., Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Hargett, Hargrove, Head, Jackson, Jones S., Jones U., Kernell, Kisber, Langster, Lewis, Maddox, McDonald, McKee, McMillan, Miller, Newton, Odom, Phelan, Pinion, Pleasant, Pruitt, Rinks, Ritchie, Robinson, Stulce, Tidwell, Tindell, Towns, Turner (Ham), Turner (Shelby), West, White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 55.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Cole (Carter), Davis, Dunn, Eckles, Ford, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hassell, Hicks, Hood, Huskey, Kent, Kerr, McAfee, McDaniel, Mumpower, Patton, Ridgeway, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Walker (Blount), Walker (Rhea), Walley, Whitson, Wood -- 37.

Representatives present and not voting were: Rhinehart -- 1.

Rep. U. Jones moved the previous question, which motion failed by the following vote:

Ayes	57
Noes	33
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Eckles, Ferguson, Fowlkes, Fraley, Givens, Hargrove, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kisber, Langster, Lewis, McDonald, McKee, McMillan, Miller, Odom, Phelan, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Stulce, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Rhea), West, White, Whitson, Williams, Mr. Speaker Naifeh -- 57.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Cole (Carter), Dunn, Fitzhugh, Ford, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hassell, Jackson, Kerr, Maddox, McAfee, McDaniel, Mumpower, Patton, Rhinehart, Sargent, Scroggs, Sharp, Stamps, Tidwell, Towns, Walker (Blount), Walley, Westmoreland, Windle, Wood -- 33.

Representatives present and not voting were: Winningham -- 1.

Rep. Williams moved that House Bill No. 3107 be passed on third and final consideration.

Rep. Haley moved the previous question, which motion prevailed by the following vote:

Ayes	67
Noes	26
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Haley, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDonald, McKee, McMillan, Miller, Newton, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Rhea), West, White, Whitson, Williams, Mr. Speaker Naifeh -- 67.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Dunn, Ford, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Kerr, McAfee, McDaniel, Mumpower, Patton, Rhinehart, Sargent, Scroggs, Sharp, Stamps, Towns, Walker (Blount), Westmoreland, Windle, Wood -- 26.

Representatives present and not voting were: Winningham -- 1.

Rep. Williams moved that **House Bill No. 3107**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	64
Noes	30
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bone, Bowers, Brooks, Buck, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Gunnels, Haley, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDonald, McMillan, Miller, Newton, Odom, Phelan, Pleasant, Pruitt, Ridgeway, Rinks, Robinson, Sands, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Rhea), West, White, Williams, Mr. Speaker Naifeh -- 64.

Representatives voting no were: Beavers, Bird, Bittle, Boyer, Burchett, Cole (Carter), Dunn, Godsey, Goins, Halteman-Harwell, Hargett, Kerr, McDaniel, McKee, Mumpower, Patton, Phillips, Ritchie, Roach, Sargent, Scroggs, Sharp, Stamps, Walker (Blount), Walley, Westmoreland, Whitson, Windle, Winningham, Wood -- 30.

Representatives present and not voting were: Pinion, Rhinehart -- 2.

A motion to reconsider was tabled.

***House Bill No. 2560** -- Sexual Offenses - Creates Class E felony offense of adult soliciting minor to engage in conduct that would constitute offense of rape of child, aggravated rape, rape, aggravated sexual battery, sexual battery, statutory rape or especially aggravated sexual exploitation of minor. Amends TCA Title 39, Chapter 13, Part 5. by *Jackson, *Newton, *Buck. (SB2853 by *Springer)

Further consideration of House Bill No. 2560 previously considered on today's Calendar.

Rep. Jackson moved that House Bill No. 2560 be passed on third and final consideration.

Rep. Jackson moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2560 by deleting from subsection (a) of Section____ of the amendatory language of SECTION 1 the language "hire a person less than eighteen" and substituting instead the language "hire a person who the person making the solicitation knows or should know is less than eighteen".

On motion, Amendment No. 1 was adopted.

Rep. Jackson moved that **House Bill No. 2560**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 3299 -- Professions and Occupations - Excludes Christian Science practitioners from TCA Title 63, Chapter 22, regarding professional counselors, marital and family therapists and clinical pastoral therapists. Amends TCA Section 63-22-204. by *Mumpower. (*SB3255 by *Ramsey)

Further consideration of House Bill No. 3299 previously considered on today's Calendar at which time the House passed the bill on third and final consideration.

Rep. Mumpower moved to lift from the table the motion to reconsider action on House Bill No. 3299, which motion prevailed.

Rep. Mumpower moved to reconsider action in passing House Bill No. 3299, which motion prevailed.

On motion, House Bill No. 3299 was made to conform with **Senate Bill No. 3255**; the Senate Bill was substituted for the House Bill.

Rep. Mumpower moved that **Senate Bill No. 3255** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes	0
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Brooks, Cooper -- 2.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2077** -- Municipal Government - Permits water facility with less than 900 customers to exclude depreciation on assets acquired with state or federal grant funds in determining whether facility has retained earnings or operating deficit. Amends TCA Section 68-221-1010. by *Walley. (SB2949 by *Wilder)

Rep. Walley moved that House Bill No. 2077, be re-transmitted to the Senate for further action, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2286** -- County Officers - Authorizes register of deeds of Lincoln County to collect \$2.00 data processing fee for purchase and maintenance of computers and supplies upon adoption of resolution by 2/3 vote of county legislative body. Amends TCA Section 8-21-1001. by *Phillips, *Fowlkes. (SB2384 by *Cooper)

On motion, House Bill No(s). 2286 was reset for the Message Calendar on April 16, 1998, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2662 -- General Assembly - Permits notice to members of written reports by state agencies rather than delivery of actual report. Amends TCA Title 3, Chapter 1. by *Williams (Williamson). (*SB2902 by *Jordan, *Williams)

Senate Amendment No. 1

AMEND House Bill No. 2662 by deleting the first sentence of the amendatory language of Section 1 and substituting instead the following:

If a statute requires an official or entity of state government to make a report to each member of the general assembly, the statute is satisfied if the official or entity notifies each of the members in writing to each member's office that the report has been published.

AND FURTHER AMEND by deleting the third sentence of the amendatory language of Section 1 and substituting instead the following:

The member may give such notice by electronic mail or facsimile transmission.

Rep. Williams moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2662**, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2718 -- Privacy, Confidentiality - Allows name, address and other identifying information concerning health care patient to be used in directory unless patient objects Amends TCA Title 68, Chapter 11, Part 15. by *Eckles, *Maddox. (*SB2591 by *Herron, *Harper)

Senate Amendment No. 1

AMEND House Bill No. 2718 by deleting subdivision 4 from Section 1 and substituting instead the following:

"(4) if the patient does not object, any directory information including only the name of the patient, the patient's general health status and the patient's location and phone number. Directory information shall be released to all inquirers only if the patient has been notified, upon admission to the hospital, of his or her right to object to the information which may be released and has not objected; or, if the patient is in a physical or mental condition such that the patient is incapable of making an objection and the next of kin or patient representative does not come forward and object."

Rep. Eckles moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2718**, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 3003 -- Alcoholic Beverages - Permits licensed hotels and restaurants to provide alcoholic beverages at catered events upon notice to commission. Amends TCA Section 57-4-101; Section 57-4-102; Section 57-4-203 and Section 57-4-301. by *Arriola, *Langster. (*SB3140 by *Haynes)

Senate Amendment No. 1

AMEND House Bill No. 3003 by deleting the amendatory language of Section 6 and substituting instead the following:

() "Caterer" means a business engaged in offering food and beverage service for a fee at various locations, which:

- (A) Operates a permanent catering hall on an exclusive basis;
- (B) Has a complete and adequate commercial kitchen facility; and
- (C) Is licensed as a caterer by the Tennessee department of health.

Rep. Arriola moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 3003**, which motion prevailed by the following vote:

Ayes.....	70
Noes	25
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Fitzhugh, Ford, Fraley, Givens, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, McKee, McMillan, Miller, Newton, Odom, Phelan, Pruitt, Rhinehart, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Stamps,

WEDNESDAY, APRIL 15, 1998 -- EIGHTY-FOURTH LEGISLATIVE DAY

Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Rhea), West, Westmoreland, Whitson, Williams, Mr. Speaker Naifeh -- 70.

Representatives voting no were: Beavers, Cross, Ferguson, Godsey, Goins, Haley, Hargett, Kerr, Maddox, McAfee, McDaniel, McDonald, Mumpower, Patton, Phillips, Pinion, Pleasant, Ridgeway, Sharp, Walker (Blount), Walley, White, Windle, Winningham, Wood -- 25.

Representatives present and not voting were: Bird, Fowlkes -- 2.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Robinson, **House Bill No. 3278** was withdrawn from the House.

ANNOUNCEMENTS

REPORT FILED

The Clerk announced that the Special Joint Committee to study Womens' Health Issues authorized pursuant to House Joint Resolution No. 431 of the 99th General Assembly has submitted its report and that it is on file in the Clerk's Office.

ENGROSSED BILLS

April 15, 1998

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 222, 1678, 1711, 2085, 2196, 2487, 2513, 2528, 2531, 2560, 2571, 2632, 2772, 2898, 3056, 3107, 3296, 3403, 3407, 3408, 3409, 3410, 3413, 3415, 3416, 3417, 3418 and 3419 also, House Joint Resolution(s) No(s). 499, 593, 619, 677, 696 and 698.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

April 15, 1998

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 171; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
April 15, 1998

The Speaker signed the following: House Resolution(s) No(s). 171.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove the House recessed until 9:00 a.m., Thursday, April 16, 1998.